

EXHIBIT A

STATE OF TEXAS
COUNTY OF DALLAS

PETITION TO AMEND THE DALLAS CITY CHARTER TO PRIORITIZE AN APPROPRIATION OF YEAR OVER YEAR CITY REVENUE INCREASES FOR SPECIFIC PUBLIC SAFETY OBJECTIVES INCLUDING FUNDING THE DALLAS POLICE AND FIRE PENSION SYSTEM, INCREASING THE NUMBER OF SWORN POLICE OFFICERS, AND ENSURING THEIR PAY IS COMPETITIVE.

Name of Circulator Chelina G. Gentry Page 1 of 10

To the Mayor and City Council of the City of Dallas, Texas ("City"): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding to Chapter XI, Sec. 15, as fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email or Cell (optional)
6/14/24	[Signature]	Madeline Washington	3722 Pinelawn	DALLAS, TX	2/7/98	
6-4-24	[Signature]	Lorrie Turner	4722 Rosemont	DALLAS, TX	6/27	
6/14/24	[Signature]	Ben Bell	16115 2nd Ave	DALLAS, TX	7-29-61	
6/14/24	[Signature]	Eustacia E. Conley	2609 Bainbridge Dr.	DALLAS, TX	11/29/1956	
6/14/24	[Signature]	Cecilia Thompson	420 Sam Houston	DALLAS, TX	11-14-61	
6-4-24	[Signature]	Nicole McIntosh	8150 N Stemmons	DALLAS, TX	3/16/81	
6/14/24	[Signature]	Shanice Sample	3816 Judge Dupree	DALLAS, TX		
6/14/24	[Signature]	Andrew B. Breaux	4116 University Blvd	DALLAS, TX	11/10/79	
6-4-24	[Signature]	LayShon Bowens	5514 Whiting Hills Dr	DALLAS, TX	11/8/00	
6/14/24	[Signature]	Roxanne Taylor	1900 Walton Oaks	DALLAS, TX	5/31/82	

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS. BEFORE ME, the undersigned, on this 6/4/24 (date) personally appeared Chelina G. Gentry, (name of person who circulated petition,) residing at 3632 Saker, who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct." SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE.

X

Signature of circulator

X

Signature of officer administering oath



A

STATE OF TEXAS
COUNTY OF DALLAS

PETITION TO AMEND THE DALLAS CITY CHARTER TO REQUIRE AN ANNUAL COMMUNITY SURVEY OF SERVICES OF THE CITY, AND BASED UPON THE RESULTS OF SUCH SURVEY, PROVIDE CONSEQUENCES FOR THE CITY MANAGER, INCLUDING AWARDING PERFORMANCE COMPENSATION OR TERMINATION

Name of Circulator Chadler Gray Page 1 of 6

To the Mayor and City Council of the City of Dallas, Texas ("City"): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding Sec. 3 to Chapter VI. The City Manager, fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email or Cell (optional)
6/4/24	Nicole Miller	Nicole Miller	1939 Boswell	DALLAS, TX	4/23/87	
6/4/24	Malina Washington	Malina Washington	3722 Proctor Dr	DALLAS, TX	2/7/98	
6-4-24	Leahie Targel	Leahie Targel	4722 Rosemont	DALLAS, TX	6/27	
6-4-24	Phillip Stator	Phillip Stator	3110 Parkway Ave	DALLAS, TX	9/13/44	
6/4/24	Bell Bama	Bell Bama	1817 South	DALLAS, TX	7-2761	
6/4/24	Eufonia E. Conley	Eufonia E. Conley	2609 Bainbridge Dr. Dallas	DALLAS, TX	11/29/1956	
6/4/24	Cecelia Thompson	Cecelia Thompson	420 Sand	DALLAS, TX	11-14-61	
6-4-24	Nicole McClinton	Nicole McClinton	1629 S. 150 N. Stemmons	DALLAS, TX	3/10/69	
6-4-24	Rickey Pierce	Rickey Pierce	3816 Judge Dupree	DALLAS, TX	7-15-54	
6/4/24	Andrew B. Hankins	Andrew B. Hankins	4110 University	DALLAS, TX	11-16-79	

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned, on this 6/4/24 (date) personally appeared Chadler Gray, (name of person who circulated petition,) residing at 3832 Jellison, who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The correct date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct." SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE

X Chadler Gray
Signature of circulator

X Jane Allen
Signature of officer administering oath

Notary
Title of officer administering oath



B

STATE OF TEXAS
COUNTY OF DALLASPETITION TO ALLOW RESIDENTS TO FORCE THE CITY OF DALLAS TO FOLLOW ITS OWN
ORDINANCES, ITS OWN CHARTER AND TEXAS STATE LAWName of Circulator Chalona Gray 1st of 6

To the Mayor and City Council of the City of Dallas, Texas ("City"): We, the undersigned qualified voters of the City of Dallas, Texas, under Dallas City Charter Ch. II, Sec. 3 and Texas Local Government Code §9.004 hereby petition for an election to amend the City Charter of the City of Dallas, Texas, by adding Ch. XXV, Citizen Enforcement, fully printed on the back page of this petition.

ONLY REGISTERED VOTERS IN THE CITY OF DALLAS, TEXAS, MAY SIGN THIS PETITION. Please fill in ALL blanks that are NOT optional.

Date Signed	Signature	Printed Name	Residence Address	City/State/Zip	Voter Registration Number or Date of Birth	Email or Cell (optional)
6-4-24	<i>[Signature]</i>	Carion Nobles	1515 Harkesne	DALLAS, TX	4/19/83	
6-4-24	<i>[Signature]</i>	Don Snell	3201 Hamilton Ave	DALLAS, TX	10-7-68	
6/4/24	<i>[Signature]</i>	Ausonara Howards	2536 Moninger Ave	DALLAS, TX		
6-4-24	<i>[Signature]</i>	Lee Robinson	2725 Thacker St	DALLAS, TX	7/2/41	
6/4/24	<i>[Signature]</i>	Louise R. Menill	1530 Roadbrook St	DALLAS, TX	7/14/78	
6-4-24	<i>[Signature]</i>	Brenda Johnson	2806 Dism	DALLAS, TX	2/24/89	
6-4-24	<i>[Signature]</i>	Pearline Brown	2523 Lamoyet	DALLAS, TX	3/6/42	
6/4/24	<i>[Signature]</i>	Jeff Chandler	2720 Peabody	DALLAS, TX	7/5/53	
6/4/24	<i>[Signature]</i>	Tommy Dorch	2227 W. Jackson	DALLAS, TX	10-30-39	
6-4-24	<i>[Signature]</i>	Adriana Lora	9011 Guadalupe	DALLAS, TX	9-14-98	

AFFIDAVIT OF CIRCULATOR

STATE OF TEXAS, COUNTY OF DALLAS, BEFORE ME, the undersigned, on this 6/14/24 (date) personally appeared Chalona Gray, (name of person who circulated petition,) residing at 3032 Silver, who being duly sworn, deposes and says: "I circulated this petition. I called each signer's attention to the full text of the proposed city charter amendment printed on the back of this petition before the signer affixed their signature to the petition. I witnessed the affixing of each signature. Each signer freely provided all information required on this petition. The current date of signing is shown on the petition. I verified each signer's registration status and believe that each signature is the genuine signature of the person whose name is signed and that the corresponding information for each signer is true and correct." SWORN TO AND SUBSCRIBED BEFORE ME THIS DATE

(SEAL)

X

Signature of circulator

[Signature]

X

Signature of officer administering oath

[Signature]

Notary



C

EXHIBIT B

Petition Signatures COUNT

INCREASE PUBLIC SAFETY



Description: PETITION TO AMEND THE DALLAS CITY CHARTER TO PRIORITIZE AN APPROPRIATION OF YEAR OVER YEAR CITY REVENUE INCREASES FOR SPECIFIC PUBLIC SAFETY OBJECTIVES INCLUDING FUNDING THE DALLAS POLICE AND FIRE PENSION SYSTEM, INCREASING THE NUMBER OF SWORN POLICE OFFICERS, AND ENSURING THEIR PAY IS COMPETITIVE.

6/26/24

Peter Macco

[Signature]

DATE

REPRESENTATIVE PRINT NAME

REPRESENTATIVE SIGNATURE

6/26/24

Peter Macco

[Signature]

DATE

REPRESENTATIVE PRINT NAME

REPRESENTATIVE SIGNATURE

LEGEND

B	BLANK LINES	7139
S	STRIKETHROUGHS	4886
F	FATAL ERROR	1
-	SIGNATURE LINE	59,730

TOTAL BOXES 8

TOTAL PETITIONS 7489

TOTAL SIGNATURES 59,730

CITY SECRETARY
DALLAS, TEXAS

2024 JUN 26 PM 1:06

RECEIVED

Petition Signatures COUNT

CITY LEADER ACCOUNTABILITY

Description: PETITION TO AMEND THE DALLAS CITY CHARTER TO REQUIRE AN ANNUAL COMMUNITY SURVEY OF SERVICES OF THE CITY, AND BASED UPON THE RESULTS OF SUCH SURVEY, PROVIDE CONSEQUENCES FOR THE CITY MANAGER, INCLUDING AWARDING PERFORMANCE COMPENSATION OR TERMINATION.



6/26/24 Peter Marocco
 DATE REPRESENTATIVE PRINT NAME REPRESENTATIVE SIGNATURE

6/26/24 Filipe Sines
 DATE CITY SECRETARY'S PRINT NAME CITY SECRETARY'S SIGNATURE

LEGEND	
B	BLANK LINES 7318
S	STRIKETHROUGHS 4672
F	FATAL ERROR
-	SIGNATURE LINE 54,126

TOTAL BOXES	8
TOTAL PETITIONS	6880
TOTAL SIGNATURES	54,126

RECEIVED
 2024 JUN 26 PM 1:06
 CITY SECRETARY
 DALLAS, TEXAS

Petition Signatures COUNT

CITIZEN ENFORCEMENT

Description: PETITION TO ALLOW RESIDENTS TO FORCE THE CITY OF DALLAS TO FOLLOW ITS OWN ORDINANCES, ITS OWN CHARTER AND TEXAS STATE LAW.



6/26/24		PETER MACCO											
DATE	REPRESENTATIVE PRINT NAME	REPRESENTATIVE SIGNATURE											
6/26/24	BILIEANE SHAW												
DATE	CITY SECRETARY'S PRINT NAME	CITY SECRETARY'S SIGNATURE											
<table border="1"> <thead> <tr> <th colspan="2">LEGEND</th> </tr> </thead> <tbody> <tr> <td>B</td> <td>BLANK LINES 7624</td> </tr> <tr> <td>S</td> <td>STRIKETHROUGHS 4443</td> </tr> <tr> <td>F</td> <td>FATAL ERROR 2</td> </tr> <tr> <td>-</td> <td>SIGNATURE LINE 55,517</td> </tr> </tbody> </table>				LEGEND		B	BLANK LINES 7624	S	STRIKETHROUGHS 4443	F	FATAL ERROR 2	-	SIGNATURE LINE 55,517
LEGEND													
B	BLANK LINES 7624												
S	STRIKETHROUGHS 4443												
F	FATAL ERROR 2												
-	SIGNATURE LINE 55,517												
TOTAL BOXES		8											
TOTAL PETITIONS		7047											
TOTAL SIGNATURES		55,517											

RECEIVED
2024 JUN 26 PM 1:06
CITY SECRETARY
DALLAS, TEXAS

EXHIBIT C



8 August 2024

Ms. Tammy Palomino
City Attorney's Office
1500 Marilla St.
Room 7DN
Dallas, Texas 75201
Phone: (214)-670-3519
tammy.palomino@dallascityhall.com
att.frontdesk@dallas.gov

RE: Improper Meetings to Alter Petitions, Voter Disenfranchisement, Candidate Intimidation

Ms. Palomino:

Despite your record advice to the city council yesterday that there were no legal issues with the 3 proposed HERO amendments and ballot language signed over 169,000 times and validated by the City Secretary, it has come to our attention that several members of the city council have conducted secret meetings in an effort to unlawfully alter the language. This would be a clear violation of the Texas Open Meetings Act (Gov't Code §551) which carries a penalty of confinement in the county jail of not less than one month or more than six months and a fine of up to \$500 per violation. We draw your attention to this to ensure the council members know that pursuant to Gov't Code §551.143, §551.144 and §551.145, they cannot "participate in a closed meeting of the governmental body knowing that a certified agenda of the closed meeting is not being kept or that a recording of the closed meeting is not being made," furthermore, "a member of a governmental body commits an offense if the member knowingly engages in at least one communication among a series of communications that each occur outside of a meeting authorized by this chapter and that concern an issue within the jurisdiction of the governmental body in which the members engaging in the individual communications constitute fewer than a quorum of members but the members engaging in the series of communications constitute a quorum of members." Council members have already been advised they cannot alter the language.

Furthermore, we ask that you advise councilmember Carolyn King Arnold and any others who would support her reckless unlawful threat to use public funds to campaign against these amendments, that this is a patent violation of Texas Election Code §225.003(a) which constitutes a Class A misdemeanor carrying a penalty of up to one year in jail, and a fine of up to \$4,000, or both.

Finally, it is wholly inappropriate and unethical for a candidate sitting in the city manager's position in an interim capacity, to publicly undermine search efforts for other candidates by putting her finger on the scale with deliberately misleading public statements of budget impact by the proposed amendments and intentionally derogatory statements designed to intimidate candidates from applying, should the HERO amendment to hold the city manager accountable, PASS by voters. Doing so was not factual, but rather—intimidates voters and candidates. Intimidating



voters from a position of public authority was a clear violation of the Voting Rights Act, 52 U.S.C. § 10307(b) (prohibits actual or attempted “intimidation,” “threats,” or “coercion” against a person “for voting or attempting to vote” or “for urging or aiding any person to vote or attempt to vote.” No showing of intent to intimidate is required so long as the behavior has the effect of intimidating voters.); Civil Rights Act of 1957, 52 U.S.C. § 10101(b) (prohibits actual or attempted “intimidation,” “threats,” or “coercion” with the purpose of interfering with a person’s right to vote in federal elections.) and the Enforcement Act of 1871 (“Ku Klux Klan Act”), 42 U.S.C. § 1983 (prohibits any public official from violating the constitutional rights of any person, including the right to vote, the right to equal protection, and the right to due process.) Ms. Kim Tolbert should not have done so. She should be forced to withdraw her candidacy, and resign.

Sincerely,

Pete Marocco
Executive Director
Dallas HERO

cc.

Alexandra.brooks@dallas.gov
Sylvia.quintanilla@dallas.gov
Chad.West@dallas.gov
jesse.moreno@dallas.gov
jackie.robinson@dallas.gov
Phil.foster@dallascityhall.com
jaime.resendez@dallas.gov
Omar.Narvaez@dallas.gov
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priscilla.chambliss@dallas.gov
paula.blackmon@dallas.gov
katherine.stewart@dallas.gov
jaynie.schultz@dallas.gov
cara.mendelsohn@dallas.gov
gay.willis@dallas.gov
paul.ridley@dallas.gov

EXHIBIT D

8-9-24

ORDINANCE NO. _____

An ordinance ordering a special election to be held in the city of Dallas on November 5, 2024, on the question of adopting amendments to the Charter of the City of Dallas; granting standing to residents to bring an action against the city to require the city to comply with provisions of the city charter, city ordinances, and state law, entitling claimants to seek declaratory injunctive relief and recover costs and reasonable attorney's fees, and waiving the city's governmental immunity from suit and liability; compelling the city to conduct an annual community survey to be completed by a minimum of 1,400 Dallas residents that rates the performance of the city manager; compelling city council to appropriate no less than 50 percent of annual revenue that exceeds the total annual revenue of the previous year to fund the Dallas Police and Fire Pension; prescribing the form and wording of the ballot propositions; designating polling places; providing that only resident qualified voters are entitled to vote; providing for the use of an electronic voting system for early voting by personal appearance and a computerized voting system for voting on election day and for early voting by mail; providing for early voting locations; providing for an early voting ballot board to process early voting; providing for notice of the special election; and providing an effective date.

WHEREAS, on June 18, 2024, the city secretary, in accordance with Section 9.004(a) of the Texas Local Government Code, received three separate petitions proposing amendments to the Dallas City Charter;

WHEREAS, on July 19, 2024, the city secretary found that the three petitions are supported by the required number of qualified voters of the City of Dallas in accordance with Section 9.004(a) of the Texas Local Government Code using the statistical sample method for verifying

signatures on all three petitions as allowed by Section 277.003 of the Texas Election Code; Now, Therefore,

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF DALLAS:

SECTION 1. That a special election is ordered to be held in the city of Dallas on Tuesday, November 5, 2024, between the hours of 7:00 a.m. and 7:00 p.m., for the purpose of submitting to the qualified voters of the city several propositions on whether the Charter of the City of Dallas should be amended. The proposed amendments will only affect the sections listed below and will read as set forth below (the new portions being underlined, and the repealed portions being crossed through):

“CHAPTER VI. THE CITY MANAGER

SEC. 3. ANNUAL COMMUNITY SURVEY AND CITY MANAGER PERFORMANCE COMPENSATION.

(a) City Council shall provide the city manager an opportunity to receive potential “performance compensation” of up to 100 percent of the city manager’s annual base salary for the preceding fiscal year, and which shall be paid based upon the results of an annual survey of residents described in this section. Such “performance compensation” shall be included in the city budget and funded each fiscal year as part of the city manager’s overall compensation, but performance compensation funds will be separate and distinct from the city manager’s salary and any other compensation included in the city manager’s employment agreement.

(b) City council shall annually conduct a community survey to be completed and published between January 1 and March 15.

(1) The annual community survey shall minimally contain the same questions asked and utilize the same methodology used in the “City of Dallas 2023 Community Survey” performed by the ETC Institute.

(2) A minimum of 1,400 completed surveys should be returned with at least 100 from every city council district.

(3) The following question shall be included in the annual community survey, “Please indicate the extent to which you think each of the following are an issue in the City of Dallas by circling the corresponding number below, where a rating of 4 is “Not a Problem,” a rating of 3 is “a Minor Problem,” a rating of 2 is “a Moderate Problem,” a rating of 1 is “a Major Problem” and a rating of “Don’t Know.”

(A) The issues surveyed shall be:

(i) Crime.

(ii) Homelessness.

(iii) Litter.

(iv) Aggressive Solicitation/Panhandling.

(v) Infrastructure /Streets.

(B) After each of the above issues there will be the opportunity to mark “4 - Not a Problem,” “3 - Minor Problem,” “2 - Moderate Problem,” “1 - Major Problem,” or “Don’t Know.”

(4) Additional questions may be included in the annual community survey, as long as the entity conducting the survey, in its reasonable belief, indicates that the additional questions will not affect the answers to the questions required by this section and provides written certification of such reasonable belief to city council.

(5) The entity conducting the survey shall conduct itself with complete impartiality to the outcome and shall provide written certification thereof to city council.

(6) Upon conclusion of the annual survey, the entity conducting the survey shall provide written certification to city council that, to their knowledge, no one has attempted to influence the conduct or outcome of the survey, or if such knowledge exists shall disclose the name and nature of the influence.

(7) The use of “push polling” language or techniques, or any other method that attempts to steer or influence responses, may not be employed. The entity conducting the survey shall provide written certification to city council that no such “push pulling” language or techniques were employed in the annual survey.

(c) If the city manager has been on the job for at least 18 months as of January 1 of the current year, then based upon the published results of the survey in Subsection (b)(3) above:

(1) If on all five issues no more than 30 percent of all responses are “Moderate Problem” or “Major Problem,” then the City Manager will be paid 100 percent of the performance compensation.

(2) If on four of the five issues no more than 30 percent of all responses are “Moderate Problem” or “Major Problem,” then the city manager will be paid 50 percent of the performance compensation.

(3) If on three of the five issues no more than 30 percent of all responses are “Moderate Problem” or “Major Problem,” then the city manager will not be paid the performance compensation.

(4) If on two or fewer issues no more than 30 percent of all responses are “Moderate Problem” or “Major Problem,” then the city manager will be terminated within 30 days by city council and shall be ineligible for reappointment as city manager for a period of 10 years.

(d) If any section, paragraph, clause, or provision of this section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this section, and to this end, the provisions of this section are declared to be severable. This section shall supersede the Dallas City Code to the extent there are any conflicts.

CHAPTER XI. THE BUDGET AND FINANCIAL PROCEDURE RELATING THERETO.

SEC. 15. PRIORITY OF EXCESS REVENUE.

(a) If at any time the total actual, accruing or estimated annual revenue of the city exceeds the total actual annual revenue of the prior fiscal year, city council shall appropriate no less than 50 percent of such excess amount, in compliance with Section 1 of Chapter XI of the Charter, to fund the Dallas Police and Fire Pension System – Combined Plan, in the amount directed by the State Pension Review Board and/or city council, whichever is higher. Any monies remaining shall be appropriated to the public safety objectives described below in Subsection (b).

(b) Public safety objectives.

(1) The starting combined salary and non-pension benefits, excluding sign-on bonuses, of the police officers of the Dallas Police Department are within the top five of all city police departments (as compared to the starting combined salary and non-pension benefits) in Dallas, Collin, Tarrant, Denton, and Rockwall Counties with a population over 50,000, on a per officer basis; and

(2) The total number of full-time sworn police officers of the police department of the City of Dallas is increased to at least 4,000 and the ratio established of 4,000 officers to Dallas city residents as of the date of the passage of this charter amendment is maintained or increased going forward.

(A) Any monies appropriated to this public safety objective but not spent within the fiscal year shall be transferred to a sinking fund to fund this Public Safety Objective in the subsequent fiscal year.

(c) Any monies remaining after all public safety objectives defined in this section have been met may be reappropriated by city council.

(d) The city, on an annual basis, shall hire a third-party firm to conduct a survey to calculate the starting combined salary and non-pension benefits, excluding sign-on bonuses, of the full-time police officers of all cities in Dallas, Collin, Tarrant, Denton, and Rockwall Counties with a population

over 50,000, on a per officer basis, and report the findings to city council. The third-party firm will be required to certify in writing to the city that it used its best efforts to include responses from each city in Dallas, Collin, Tarrant, Denton, and Rockwall Counties in the annual survey, and the failure or unwillingness of any city to participate in the survey shall have no impact on either:

(1) the city's and the third-party firm's obligations to complete and deliver the survey required by this Section on an annual basis; or

(2) the city's obligations under this chapter.

(e) As used in this section, "revenue" shall mean all revenue collected by the city that's use is not restricted to a limited purpose under state or federal law, including, but not limited to ad valorem property tax, sales tax, beverage taxes, asset forfeiture funds, bingo fees, cemetery taxes, impact fees, interlocal agreements, internet payment and access fees, investments, court fees, open records fees, municipal development corporation sales taxes, municipal development district taxes, pro rata fees, public improvement district assessments, right-of-way fees, special improvement district fund taxes, street assessments, time warrants, user fees, venue taxes, donations, coin-operated machine taxes, drainage fees, hotel taxes, parking fees, franchise fees, enterprise funds, charges for services, admission fees, fines and forfeitures, operating transfers from municipally controlled entities, municipal enterprises, municipally owned utilities, municipally controlled districts, licenses and permits, and interest, but shall not include any debt proceeds taken on by the city, or any grants, appropriations or other revenue received from other governmental or non-profit entities (that weren't directly or indirectly initially provided to such other governmental or non-profit entities by the city).

(f) If any section, paragraph, clause, or provision of this section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this section, and to this end, the provisions of this section are declared to be severable. This section shall supersede the Dallas City Code to the extent there are any conflicts.

CHAPTER XXV. CITIZEN ENFORCEMENT

SEC. 1. RESIDENT ENFORCEMENT.

(a) Any resident of Dallas has standing and may bring an action against the City of Dallas to require the city to comply with any of the provisions of the charter, any city ordinance or any law of the State of Texas.

(b) A claimant is entitled to recover in an action brought under this chapter:

(1) declaratory and injunctive relief against the city; and

(2) costs and reasonable attorney's fees, if the court orders injunctive or declaratory relief.

(c) The city's governmental immunity to suit and from liability is waived to the extent of liability created by the charter, city ordinance and/or Texas state law.

(d) Claimants shall notify the city of their claim not later than sixty days before the date such claimant files an action under this chapter. The notice must reasonably describe the charter provision, ordinance, or state law that the claimant believes has been or may be violated.

(e) “Resident” shall mean any person who resides in the City of Dallas, and any firm, corporation, limited liability company, joint venture, trust, estate, nonprofit, or association which is physically located in or otherwise conducts business in the City of Dallas.

(f) If any section, paragraph, clause, or provision of this section is for any reason held to be invalid or unenforceable, the invalidity or unenforceability of that section, paragraph, clause, or provision shall not affect any of the remaining provisions of this section, and to this end, the provisions of this section are declared to be severable. This section shall supersede the Dallas City Code to the extent there are any conflicts.”

SECTION 2. That electronic and computerized voting systems must be used for voting at and on the date of the special election in compliance with the provisions of the Texas Election Code, as amended, and the vote must be upon an official ballot prepared in such a manner as will permit the voters to vote “For” or “Against” the propositions submitted, with the propositions to be expressed on the official ballot in a form substantially as follows:

PROPOSITION NO. 18

Granting Standing to Residents and Waiving Governmental Immunity

Shall the Dallas City Charter be amended by adding a new chapter that grants standing to any resident of Dallas to bring an action against the city to require the city to comply with provisions of the city charter, city ordinances, and state law; entitles claimants to seek declaratory and injunctive relief against the city and recover costs and reasonable attorney’s fees; and waives the city’s governmental immunity from suit and liability?

PROPOSICIÓN N.º 18

Concesión de legitimación a los residentes y renuncia a la inmunidad gubernamental

¿Debe enmendarse la Acta Constitutiva de la Ciudad de Dallas añadiendo un nuevo capítulo que otorgue legitimación a cualquier residente de Dallas para interponer una demanda contra la ciudad con el fin de exigir a esta el cumplimiento de las disposiciones de la Carta de la Ciudad, las ordenanzas municipales y la legislación estatal; que otorgue a los demandantes el derecho a solicitar medidas declaratorias y cautelares contra la ciudad y a recuperar los costos y honorarios razonables de los abogados; y que renuncie a la inmunidad gubernamental de la ciudad frente a demandas y responsabilidades?

ĐỀ XUẤT SỐ 18

Cấp Quyền Khởi kiện cho Cư dân và Từ bỏ Quyền Miễn trừ của Chính phủ

Hiến chương Thành phố Dallas có nên được sửa đổi bằng cách thêm một chương mới trao quyền cho bất kỳ cư dân nào của Dallas được khởi kiện thành phố để yêu cầu thành phố tuân thủ các điều khoản của hiến chương thành phố, các sắc lệnh của thành phố và luật tiểu bang; cho phép người yêu cầu bồi thường đòi hỏi tuyên bố và lệnh cấm từ tòa án đối với thành phố và thu hồi chi phí cùng phí luật sư hợp lý; và từ bỏ quyền miễn trừ của chính quyền thành phố khỏi các vụ kiện và trách nhiệm pháp lý không?

PROPOSITION NO. 19

Annual Community Survey

Shall Chapter VI of the Dallas City Charter be amended by adding a new section compelling the city to conduct an annual community survey to be completed by a minimum of 1,400 Dallas residents that rates the performance of the city manager, the results of which will result in a fixed adjustment to the city manager's compensation (between a 0 percent and 100 percent salary bonus) or the termination of the city manager, thereby transferring decision-making authority regarding the city manager's compensation and employment status from city council to survey respondents?

PROPOSICIÓN N.º 19

Encuesta comunitaria anual

¿Debe enmendarse el Capítulo VI del Acta Constitutiva de la Ciudad de Dallas añadiendo una nueva sección que obligue a la ciudad a realizar una encuesta anual a la comunidad, que deberá ser completada por un mínimo de 1,400 residentes de Dallas, en la que se evalúe el desempeño del administrador de la ciudad, y cuyos resultados resulten en un ajuste fijo de la compensación del administrador de la ciudad (entre un 0 % y un 100 % de bonificación salarial) o en el despido del administrador de la ciudad, transfiriendo así la autoridad de toma de decisiones respecto a la compensación y situación laboral del administrador de la ciudad del ayuntamiento a los encuestados?

ĐỀ XUẤT SỐ 19

Khảo sát Cộng đồng Hàng Năm

Chương VI của Hiến chương Thành phố Dallas có nên được sửa đổi bằng cách thêm một Mục mới yêu cầu thành phố phải tiến hành khảo sát cộng đồng hàng năm, với tối thiểu 1,400 cư dân Dallas thực hiện, để đánh giá hiệu quả làm việc của người quản lý thành phố, và kết quả của cuộc khảo sát sẽ dẫn đến việc điều chỉnh cố định mức lương của người quản lý thành phố (từ 0 phần trăm đến 100 phần trăm tiền thưởng) hoặc chấm dứt hợp đồng với người quản lý thành phố, do đó chuyển giao quyền ra quyết định liên quan đến mức lương và tình trạng việc làm của người quản lý thành phố từ hội đồng thành phố sang người trả lời khảo sát hay không?

PROPOSITION NO. 20

Police and Fire Funding Appropriation

Shall Chapter XI of the Dallas City Charter be amended by adding a new section compelling city council to appropriate no less than 50 percent of annual revenue that exceeds the total annual revenue of the previous year to fund the Dallas Police and Fire Pension, with any monies remaining to be appropriated to increasing the starting compensation of officers of the Dallas Police Department and to hiring a minimum of 4,000 police officers with the minimum number of police officers to increase in relation to an increase in City of Dallas population?

PROPOSICIÓN N.º 20

Asignación de fondos para la policía y los bomberos

¿Deberá enmendarse el Capítulo XI del Acta Constitutiva de la Ciudad de Dallas añadiendo una nueva sección que obligue al ayuntamiento a destinar no menos del 50 por ciento de los ingresos anuales que superen los ingresos anuales totales del año anterior a financiar la pensión de la Policía y los Bomberos de Dallas, y que destine el dinero restante a aumentar la remuneración inicial de los agentes del Departamento de Policía de Dallas y a contratar un mínimo de 4,000 agentes de policía, debiendo aumentar el número mínimo de agentes de policía en relación con el aumento de la población de la Ciudad de Dallas?

ĐỀ XUẤT SỐ 20

Phân bổ Kinh phí cho Cảnh sát và Cứu hỏa

Chương XI của Hiến chương Thành phố Dallas có nên được sửa đổi bằng cách thêm một Mục mới yêu cầu hội đồng thành phố phải dành ít nhất 50 phần trăm doanh thu hàng năm mà vượt quá tổng doanh thu hàng năm của năm trước, để tài trợ cho Quỹ hưu trí Cảnh sát và Cứu hỏa Dallas, và bất kỳ khoản tiền nào còn lại sẽ được dành để tăng mức lương khởi điểm cho các sĩ quan của Sở Cảnh sát Dallas và tuyển dụng tối thiểu 4,000 cảnh sát với số lượng cảnh sát tối thiểu tăng theo sự gia tăng dân số của Thành phố Dallas không?

SECTION 3. That the election must be held and conducted in the manner provided by law governing the holding of city charter elections by home rule cities of the State of Texas. The official ballots, together with such other election materials as are required by the Texas Election Code, as amended, must be printed in the English, Spanish, and Vietnamese languages and must contain such provisions, markings, and language as may be required by law.

SECTION 4. That the boundaries of the election precincts in which the election is to be held are defined by Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579,

22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375. Locations of the polling places in the election precincts are listed in the attached Exhibit A, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <<https://www.dallascountyvotes.org/voters/>> or by contacting:

Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
Tel: (214) 819-6389

SECTION 5. That each voter must vote in the precinct in which the voter resides, and only resident qualified voters are entitled to vote.

SECTION 6. That a person qualified to vote and residing in the city of Dallas, but not within any precinct described in Ordinance No. 20231, as amended by Ordinance Nos. 20741, 21350, 21579, 22343, 22693, 23348, 24800, 25696, 27484, 28147, 28937, and 29375 may vote in the precinct nearest the person's residence, and for that purpose the person's residence will be considered as part of that city election precinct. A person who has registered in a city election precinct, but whose residence is not in the city of Dallas, is not entitled to vote in the special election even though the person may own property subject to taxation in the city.

SECTION 7. That early voting by personal appearance will be by the use of an electronic voting system in accordance with the Texas Election Code, as amended. That tallying of early voting by mail will be by the use of a computerized voting system in accordance with the Texas Election Code, as amended. Early voting will be conducted at the following main locations and at the other locations during the dates and times designated in Exhibit B, attached to this ordinance, but which locations may be changed by Dallas County, and which changes, if any, are hereby made part of this ordinance by reference and can be found by visiting the Dallas County webpage: <<https://www.dallascountyvotes.org/voters/>> or by contacting:

Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
Tel: (214) 819-6389

SECTION 8. That applications for early voting ballots to be voted by mail must be mailed to the following:

- For Dallas County: Early Voting Clerk
Dallas County Elections Department
1520 Round Table Drive
Dallas, Texas 75247
- For Collin County: Early Voting
Collin County Elections Administration Office
2010 Redbud Boulevard, Suite 102
McKinney, Texas 75069
- For Denton County: Early Voting Clerk
Denton County Elections Administration Office
P. O. Box 1720
Denton, Texas 76202

Applications for ballots by mail must be received no later than the close of business on Friday, October 25, 2024.

SECTION 9. That applications for early voting ballots to be voted by mail may, pursuant to Section 84.007 of the Texas Election Code, be sent to the following email addresses:

- For Dallas County: evapplications@dallascounty.org
- For Collin County: absenteemailballoting@collincountytexas.gov
- For Denton County: elections@dentoncounty.gov

SECTION 10. That the early voting ballots will be processed by an early voting ballot board to be created in accordance with the Texas Election Code, as amended.

SECTION 11. That the mayor, or in the mayor's absence, or inability to act, the mayor pro tem, shall give notice of the special election by causing the notice to be published in a newspaper within the city and posted on the city's public meeting bulletin board in accordance with applicable state law governing notice of charter elections.

SECTION 12. That this ordinance will take effect immediately from and after its passage and publication in accordance with the provisions of the Charter of the City of Dallas, and it is accordingly so ordained.

APPROVED AS TO FORM:

TAMMY L. PALOMINO, City Attorney

By _____
Assistant City Attorney

Passed _____

EXHIBIT E



PO Box 377
13940 Benton City Rd.
Von Ormy, Texas 78073

www.martinezdevara.com

Ph. 210.622.0323
Fax: 210.239.9973
art@mdv-law.com

August 12, 2024

Hon. Eric L. Johnson, Mayor
Hon. Chad West, District 1
Hon. Jesse Moreno, District 2
Hon. Zarin D. Gracey, District 3
Hon. Carolyn King Arnold, District 4
Hon. Jaime Resendez, District 5
Hon. Omar Narvaez, District 6
Hon. Adam Bazaldua, District 7
Hon. Tenell Atkins, District 8 and Mayor Pro Tem
Hon. Paula Blackmon, District 9
Hon. Kathy Stewart, District 10
Hon. Jaynie Schultz, District 11
Hon. Cara Mendelsohn, District 12
Hon. Gay Donnell Willis, District 13
Hon. Paul E. Ridley, District 14

Dallas City Hall
1500 Marilla St.
Dallas, Texas 75201

RE: Altered Ballot Language for Dallas HERO Petitions

Hon. Mayor and City Council of the City of Dallas, Texas:

Please be advised that this firm represents Dallas Hero and several individual Dallas residents who are members of a protected class. As you are aware, Dallas Hero submitted three proposed charter amendment petitions signed by over 169,000 registered voters of the City of Dallas in accordance with the Dallas City Charter and Texas Local Government Code § 9.04. The proposed ballot language, approved by petition signers is clear and adequately describes the proposed amendment in accordance with the law so that the voters are not misled. The **Texas Supreme Court has recently held that it is unlawful to deprive petition signatories of their right to have their amendment considered by the voters as it was proposed.** The Court stressed the public policy that “The initiative process . . . affords direct popular participation in

lawmaking. The system has its historical roots in the people's dissatisfaction with officialdom's refusal to enact laws." *In re Morris*, 663 S.W.3d 589, 597-98 (Tex. 2023). As such, the *Morris* opinion strongly supports that amendments and ballot language should be presented to the voters as proposed by the petition signatories. The City of Dallas is thus required to submit the proposed ballot language for the three charter amendments as written on the petitions and is prohibited from changing, altering or misleading voters by using alternative ballot language.

Be advised that if the City Council changes the petitioner's proposed ballot language, we are prepared to immediately file a lawsuit against the City, as well as, each individual Council Member to seek emergency relief against such unlawful actions. Petition signers recently prevailed against an unlawful attempt to alter ballot language by the City of Austin at the Texas Supreme Court, cementing the rights of petition signers against City Council interference. See *In re Petricek*, 629 S.W.3d 913 (Tex. 2021).

In addition be advised that the majority of the petition signers are members of protected classes, minority and women voters, and any attempt to change or alter the ballot language to mislead or confuse the voters constitute violations of the signatories' civil rights under Enforcement Act of 1871 ("Ku Klux Klan Act"), 42 U.S.C. § 1983, which prohibits any public official from violating the constitutional rights of any person, as well as, the Voting Rights Act, 52 U.S.C. § 10307(b), which prohibits interfering with the right to vote of any person. Please note that the council members can be held **personally liable** for their actions. We will also seek attorney's fees and costs of court.

Any attempt to play political games to mislead or disenfranchise your constituents, the voters of the City of Dallas, will not be tolerated and will be met with swift legal action. In addition to the potential litigation, you should know that Dallas HERO conducted a poll while circulating their petition wherein an overwhelming majority of voters of the City of Dallas supported taking legal action to ensure that the Dallas City Council does not alter the ballot language or play political games to confuse the voters and if they did, would support voting any participating Councilmembers out of office and/or support initiate a recall election. It is obvious that the voters of Dallas are dissatisfied with the Council's refusal to enact laws to protect their public safety and have chosen to propose amendments to the City Charter upon their own initiative. As such, the ballot language should be presented to the voters as proposed by the petition signatories. I trust the City and its council will do the right thing and allow the voters to decide in a fair election.

Regards,

A handwritten signature in black ink, appearing to read "Art Martinez de Vara". The signature is stylized with a large, looped "A" and a long, sweeping horizontal stroke at the end.

Art Martinez de Vara
Attorney for Dallas Hero

EXHIBIT F

From: [Art Martinez de Vara](#)
To: [Adrian Spears](#); [Misty Spears](#)
Subject: Fw: Dallas HERO proposition ballot language
Date: Wednesday, August 21, 2024 11:33:05 AM
Attachments: [image001.png](#)

From: Art Martinez de Vara <art@mdv-law.com>
Sent: Wednesday, August 14, 2024 1:45 PM
To: Huggard, Jennifer <jennifer.huggard@dallas.gov>
Cc: Pete.Marocco@dallashero.org <Pete.Marocco@dallashero.org>; Rodriguez, Stacy <stacy.rodriguez@dallas.gov>; Palmer, Nicholas <nicholas.palmer@dallas.gov>
Subject: Re: Dallas HERO proposition ballot language

Jennifer,

My client agrees to your proposed agreement.

Regards,
Art

From: Huggard, Jennifer <jennifer.huggard@dallas.gov>
Sent: Wednesday, August 14, 2024 1:27 PM
To: Art Martinez de Vara <art@mdv-law.com>
Cc: Pete.Marocco@dallashero.org <Pete.Marocco@dallashero.org>; Rodriguez, Stacy <stacy.rodriguez@dallas.gov>; Palmer, Nicholas <nicholas.palmer@dallas.gov>
Subject: RE: Dallas HERO proposition ballot language

Art,

The updated draft language is below and is also attached with track changes. This email memorializes our agreement regarding the Dallas HERO draft proposition ballot language. If Dallas HERO and the individuals that you represent agree with the additional revisions set forth below, then the City Attorney's Office will recommend the below language to the Dallas City Council in exchange for the agreement of Dallas HERO and the individuals you represent that they will not bring legal action regarding the Dallas HERO proposition ballot language if the City Council votes to approve the below language. Please memorialize your clients' agreement by responding to this email noting the agreement.

Prop 18

Shall the Dallas City Charter be amended by adding a new chapter that grants standing to any resident of Dallas to bring a

lawsuit against the city to require the city to comply with provisions of the city charter, city ordinances, and state law; entitles claimants to seek declaratory and injunctive relief against the city and recover costs and reasonable attorney's fees; and waives the city's governmental immunity from suit and liability in claims brought under this amendment?

Prop 19

Shall Chapter VI of the Dallas City Charter be amended by adding a new section compelling the city to conduct the city-commissioned Community Survey on an annual basis, to be completed by a minimum of 1,400 Dallas residents on their satisfaction on quality of life issues, the results of which will result in the city manager earning additional performance compensation (between 0 percent and 100 percent of the city manager's annual base salary) or the termination of the city manager?

Prop 20

Shall Chapter XI of the Dallas City Charter be amended by adding a new section compelling city council to appropriate no less than 50 percent of annual revenue that exceeds the total annual revenue of the previous year to fund the Dallas Police and Fire Pension, with any monies remaining of that 50% to be appropriated to increasing the starting compensation of officers of the Dallas Police Department and to increase the number of police officers to a minimum of 4,000, and to maintain that ratio of officers to the City of Dallas population as of the date of passage of this amendment?

Jennifer Carter Huggard

Executive Assistant City Attorney

Chief of Litigation

City of Dallas

Dallas City Attorney's Office

1500 Marilla St., 7DN



Dallas, TX 75201
O: 214.670.5622
M: 469.921.0075
F: 214.670.0622
jennifer.huggard@dallas.gov

*****Please be advised that this e-mail is subject to being disclosed pursuant to a request for public information under the Texas Public Information Act. Please respond accordingly.*****

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From: Art Martinez de Vara <art@mdv.law>
Sent: Wednesday, August 14, 2024 12:29 PM
To: Huggard, Jennifer <jennifer.huggard@dallas.gov>
Cc: Pete.Marocco@dallashero.org
Subject: Dallas HERO proposition ballot language

External Email!

Jennifer,

As we discussed at the break, we have several issues with the proposed ballot language on the 3 Dallas HERO charter amendments. As requested, attached are our proposed corrections.

Regards,

--

Art Martinez de Vara

Attorney and Counselor at Law
The Martinez de Vara Law Firm, PLLC
PO Box 377
Von Ormy, Texas 78073

Ph: 210/622-0323

Fx: 210/239-9973

Web: www.martinezdevara.com

Email: art@mdv.law

San Antonio Magazine "Top San Antonio Lawyers - Civil Litigation 2023, 2022, 2021 & 2019"

San Antonio Business Journal "Outstanding Lawyers in San Antonio"

Texas Monthly Super Lawyers "Rising Star" - Business Litigation

Texas Lawyer Magazine "25 Extraordinary Minority Lawyers"

My latest book [*Beneath Sacred Ground: The Mission San Antonio de Valero Burial Records Transcribed, Translated and Annotated*](#) is now available on Amazon.com. *Tejano Patriot* has been released as an [audiobook on Audible](#). [A new podcast series about Jose Francisco Ruiz has launched](#) on Spotify, iTunes and all major podcast platforms. Signed copies of my books may be purchased on www.ArtMartinezDeVara.com

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Prop 18

Shall the Dallas City Charter be amended by adding a new chapter that grants standing to any resident of Dallas to bring a ~~an~~ action lawsuit against the city to require the city to comply with provisions of the city charter, city ordinances, and state law; entitles claimants to seek declaratory and injunctive relief against the city and recover costs and reasonable attorney's fees; and waives the city's governmental immunity from suit and liability in claims brought under this amendment?

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| passage of this amendment?